

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

House Bill 4311

BY DELEGATES HOWELL, HAMRICK, HIGGINBOTHAM,

HANSHAW, HILL AND KESSINGER

[Introduced January 26, 2018; Referred
to the Committee on Government Organization then
the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §47-2A-5, relating to making all work product by State Government to be in
3 the public domain and not subject to copyright protection.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2A. COPYRIGHT PROTECTION.

§47-2A-5. Works by State Government are not subject to copyright.

1 Copyright protection under this title or the federal copyright laws of the United States is
2 not available for any work product of the West Virginia Government, its officers, or employees
3 that are subject to FOIA. The types of works included in this prohibition include, but are not limited
4 to, writings, images, photographs, graphic designs, and sound and video recordings. All such
5 work is in the public domain. However, the state is not precluded from receiving and holding
6 copyrights transferred to it by assignment, bequest, or otherwise.

NOTE: The purpose of this bill is to make all work product by State Government to be in the public domain and not subject to copyright protection.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.